

FILED 23 NOV '21 10:19 USD-CORP

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

Portland DIVISION

SAVINO DESANTIAGO

(Enter full name of plaintiff)

Plaintiff,

v.

Civil Case No. 6:21-cv-01696-MK

(to be assigned by Clerk's Office)

COMPLAINT FOR VIOLATION OF CIVIL  
RIGHTS (PRISONER COMPLAINT)

JORDAN GUTHRIE, BRIAN MELVIN

Jury Trial Demanded

BRANDON SARTI, MIKE MILLER

☒ Yes

☐ No

\_\_\_\_\_  
(Enter full name of ALL defendant(s))

Defendant(s).  
\_\_\_\_\_

I. PARTIES

List your name, address, and telephone number below, and the same information for each defendant. Make sure that the defendant(s) listed below are identical to those contained in the caption of the complaint. Attach additional sheets of paper if necessary.

Plaintiff

Name: SAVINO DESANTIAGO

Street Address: 1026, SE, Douglas

City, State & Zip Code: Roseburg OR, 97470

Telephone No.: 541-817-7735

Complaint for Violation of Civil Rights (Prisoner Complaint)

[Rev. 01/2018]

**Defendant No. 1** Name: BRANDON SARTI  
Street Address: 131 ROSE AVE  
City, State & Zip Code: WINSTON OR, 97446  
Telephone No.: 541-679-8706

**Defendant No. 2** Name: JORDAN GUTHRIE  
Street Address: 131 ROSE AVE  
City, State & Zip Code: WINSTON OR, 97446  
Telephone No.: 541-679-8706

**Defendant No. 3** Name: BRAIN MELVIN  
Street Address: 131 ROSE AVE  
City, State & Zip Code: WINSTON OR, 97446  
Telephone No.: 541-679-8706

**Defendant No. 4** Name: MIKE MILLER  
Street Address: 131 ROSE AVE  
City, State & Zip Code: WINSTON OR, 97446  
Telephone No.: 541-679-8706

## II. BASIS FOR JURISDICTION

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. You are bringing suit against (*check all that apply*):

☐ Federal officials (a *Bivens* claim)

☒ State or local officials (a § 1983 claim)

B. What federal constitutional, statutory, or treaty right(s) is/are at issue?

First, Fourth, Fifth, Sixth, Eighth and Fourteenth Amendments. 18 U.S.C. § 42, Statute - 42 U.S.C. Sec. 1983 also 42 U.S.C. 1981 and 1982: Racial Discrimination claims also 42 U.S.C., 1985, 1986: Civil Rights Conspiracy claims,

### III. STATEMENT OF CLAIMS

#### Claim I

State here as briefly as possible the facts of your case. Describe how each defendant was involved, when the conduct occurred, and any injuries you have suffered as a result. It is not necessary to give any legal arguments or cite any cases or statutes.

September 11, 2019 plaintiff was assaulted by two neighbors. Plaintiff sustained a major par 4 break. Defendant Jordan Guthrie had quickly dismissed the assault and closed the case that day. Defendant has expressed in the past Racial slurs and has shown his deliberate indifference. Between dates 9-14-19 to 3-15-20 Defendants Jordan Guthrie, Partner Brian Melvin, had responded to plaintiff's calls of Aggravated harassment by the assailants who are next door neighbors. Both defendants Brian Melvin and Jordan Guthrie quickly dismissed all wrong doing by assailants.

#### Claim II

State here as briefly as possible the facts of your case. Describe how each defendant was involved, when the conduct occurred, and any injuries you have suffered as a result. It is not necessary to give any legal arguments or cite any cases or statutes.

Defendant Brian Melvin on 2-14-20 had refused to respond to a active shooting taking place on

at Plaintiff's house, Defendant Brian Melvin had told Amber Silva who had called, That he would not be responding to a active shooting at Plaintiff's house, Defendant Brian Melvin had told Amber Silva to go outside and take pictures or recording of the shooting and send the Evidence of the shooting to Defendants Email. Amber Silva refused to put her life in danger.

### Claim III

State here as briefly as possible the facts of your case. Describe how each defendant was involved, when the conduct occurred, and any injuries you have suffered as a result. It is not necessary to give any legal arguments or cite any cases or statutes.

Plaintiff and fiancée Amber Silva had reported all incidents of the police officers deliberate indifference toward allowing plaintiff and family from relief in pressing criminal charges on assailants who lived next door, Brandon Scott who is a police chief of Winston police department knew of his officers conduct, Rather than had supported their subordinates conduct as deprivation of equal rights and protections. As well as Sargent Mike Miller knowing of the officers deliberate indifference and did nothing as well.

(If you have additional claims, describe them on another piece of paper, using the same outline.)

#### IV. EXHAUSTION OF ADMINISTRATIVE REMEDIES

I have filed for administrative relief as to all claims in Section III and have concluded all administrative appeals available to me.

☒ Yes

☐ No

#### V. RELIEF

State briefly exactly what you want the court to do for you and the amount, if any, of monetary compensation you are seeking. Make no legal arguments. Cite no cases or statutes.

(A.) Seeking Relief of compensatory damages \$360,000  
Totally and Severally against Jordan Gutierez, Brian Melvin  
for the physical and emotional injuries sustained, was  
Subjected to Aggravated Harassment through 9-14-19  
to 3-15-20. (B) 100,000 Totally and severally against  
defendants Brandon Sarti and Jordan Gutierez for the deprivations  
of liberty and amenity, and emotional injury resulting  
from deprivations of Substantive due process, that was the  
result of negligence and deliberate indifference toward  
Plaintiff, five children, and Amber Silva. C) 100,000

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 11 day of 15th, 2021

  
(Signature of Plaintiff)